

FORTY-SIXTH DAY

MONDAY, APRIL 7, 1997

PROCEEDINGS

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Duncan, Ellis, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West, Whitmire, Zaffirini.

Absent-excused: Fraser.

The President announced that a quorum of the Senate was present.

The Reverend Dr. Alan J. Meenan, First Presbyterian Church, Amarillo, offered the invocation as follows:

Father in heaven, we begin our deliberations today in the peaceful pause of Your presence. It is this moment with You that breathes significance into all we do. It is Your spirit that reveals to us meaning in the maze of life. Help us to know that everything that is done in this place is of deep concern to You for we have come to understand that not even a sparrow falls to the ground without Your knowledge. You alone hold the mystery of life itself and apart from Your gracious intervention our lives are bereft of authenticity and our political aspirations nothing more than sounding brass or clanging cymbals. We pray that You infect the Members and staff of this Chamber with Your presence as they feel the weight of responsibility for those whom they serve across this state that they may be better than they are, wiser than they know, and stronger than they dream, and that the work they accomplish will be lifted out of the mire of mediocrity to the level of genuine, unselfish concern for the people of this great state in all its far-flung corners and will gladden the heart of God. Hear our prayer we beseech You for we ask these things in the name of Jesus Christ. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 4, 1997, was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

On motion of Senator Truan, Senator Fraser was granted leave of absence for today on account of important business.

CO-AUTHOR OF SENATE BILL 80

On motion of Senator Ellis and by unanimous consent, Senator Moncrief will be shown as Co-author of **SB 80**.

CO-AUTHORS OF SENATE BILL 519

On motion of Senator Bivins and by unanimous consent, Senators Luna and West will be shown as Co-authors of **SB 519**.

CO-AUTHOR OF SENATE BILL 631

On motion of Senator Haywood and by unanimous consent, Senator Nelson will be shown as Co-author of **SB 631**.

CO-AUTHOR OF SENATE BILL 939

On motion of Senator Ellis and by unanimous consent, Senator Moncrief will be shown as Co-author of **SB 939**.

CO-AUTHORS OF SENATE BILL 1067

On motion of Senator Zaffirini and by unanimous consent, Senators Barrientos, Ellis, Gallegos, Lucio, Moncrief, Truan, and West will be shown as Co-authors of **SB 1067**.

CO-AUTHOR OF SENATE BILL 1114

On motion of Senator Ellis and by unanimous consent, Senator Truan will be shown as Co-author of **SB 1114**.

CO-AUTHOR OF SENATE BILL 1595

On motion of Senator Ellis and by unanimous consent, Senator Zaffirini will be shown as Co-author of **SB 1595**.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 63

On motion of Senator Madla and by unanimous consent, Senators Luna, Wentworth, and Zaffirini will be shown as Co-authors of **SCR 63**.

CO-AUTHOR OF SENATE RESOLUTION 428

On motion of Senator Moncrief and by unanimous consent, Senator Zaffirini will be shown as Co-author of **SR 428**.

CAPITOL PHYSICIAN

Senator Truan was recognized and presented Dr. Thomas DeWitt Harvey of Corpus Christi as the "Doctor for the Day."

The Senate welcomed Dr. Harvey and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

(Senator Truan in Chair)

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Monday, April 7, 1997

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 190, Declaring April 7, 1997, as Wood County Day at the State Capitol.

HCR 191, Honoring George Gervin.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

SENATE CONCURRENT RESOLUTION 63

Senator Madla offered the following resolution:

WHEREAS, The Texas Legislature is proud to honor basketball great George Gervin on his remarkable athletic achievements, which include being the first San Antonio Spurs player inducted into the Naismith Memorial Basketball Hall of Fame, and his sterling record of service to the San Antonio community; and

WHEREAS, Born April 27, 1952, he attended Eastern Michigan University, and as a member of that school's basketball team he averaged 26.8 points and 14.4 rebounds a game; in recognition of his singular achievements at Eastern Michigan his jersey was retired in 1986; and

WHEREAS, Possessing a deadly outside jump shot, Mr. Gervin was equally adept at driving to the basket, artfully avoiding defenders, and successfully completing a play with his trademark "finger-roll" layup; and

WHEREAS, He began his professional basketball career with the Virginia Squires of the American Basketball Association (ABA), and was later acquired by the San Antonio Spurs; during his tenure in the ABA he established a reputation as an unstoppable offensive force on the hardwood and earned All-Star status three of his four years in the league; and

WHEREAS, Nicknamed the "Iceman" for his extraordinary consistency of play, particularly with the game on the line, he continued his success with the Spurs after the franchise became a part of the NBA in 1976, and led his team to five division titles during his nine years with the organization; and

WHEREAS, One of the finest players ever to don the silver and black, Mr. Gervin is still the Spurs' all-time leader in field goals made and

attempted, and free throws made; in addition, he ranks among the top five in club history in rebounds, assists, steals, and blocked shots; his Spurs jersey number "44" was retired in December 1987, and he is one of only two San Antonio players to be honored with that distinction; and

WHEREAS, He was selected to the NBA All-Star Team for nine consecutive years, earning the most valuable player award for his performance in the 1980 All-Star Game, and is one of only three players in NBA history to win four or more scoring titles, joining Michael Jordan and Wilt Chamberlain in that distinction; and

WHEREAS, Over the course of his professional career, George Gervin scored a total of 26,595 points, which places him on the list of all-time scoring leaders; and

WHEREAS, In 1996 he was chosen for the single greatest honor that any person associated with the sport of basketball can attain when he was voted to the Naismith Memorial Basketball Hall of Fame; he was also selected for inclusion in the Texas Sports Hall of Fame, and was one of the inaugural inductees of the San Antonio Sports Hall of Fame; and

WHEREAS, The "Iceman" recently received another momentous accolade when he was named one of the 50 greatest players in NBA history, joining the elite pantheon of roundball heroes whose exploits have helped to shape the game they love; and

WHEREAS, Currently a community relations representative with the Spurs organization, this dedicated individual devotes considerable time and energy as a speaker at schools, banquets, and charities, and in addition to coaching basketball clinics, he also lends his respected voice to a number of valuable public service announcements; and

WHEREAS, George Gervin has set standards of athletic excellence and community service to which all Texans can aspire, and it is indeed appropriate that he receive special legislative recognition for his unparalleled accomplishments both on and off the court at this time; now, therefore, be it

RESOLVED, That the 75th Legislature of the State of Texas hereby congratulates George Gervin on his remarkable basketball career and commend him for his many significant contributions to the citizenry of the Lone Star State; and, be it further

RESOLVED, That an official copy of this resolution be prepared for George Gervin as an expression of highest regard by the Legislature of the State of Texas.

MADLA
LUNA
WENTWORTH
ZAFFIRINI

The resolution was read.

On motion of Senator Brown and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Madla and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

GUESTS PRESENTED

Senator Madla was recognized and introduced to the Senate George Gervin, the "Iceman," of the San Antonio Spurs, member of the basketball hall of fame.

Senator Madla also introduced to the Senate a group from the George Gervin Youth Center of San Antonio.

The Senate welcomed the "Iceman," Mr. Gervin, and guests.

BILLS AND RESOLUTIONS SIGNED

The Presiding Officer announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

SB 109, SB 128, SB 209, SB 334, SB 388, SB 404, SB 435, SCR 11, SCR 12, SCR 17, SCR 26, SCR 30, SCR 41, SCR 56.

HOUSE CONCURRENT RESOLUTION 190

The Presiding Officer laid before the Senate the following resolution:

HCR 190, Declaring April 7, 1997, as Wood County Day at the State Capitol.

CAIN

The resolution was read.

On motion of Senator Cain and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Cain was recognized and introduced to the Senate a delegation of elected officials and citizens from Wood County.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Patterson was recognized and introduced to the Senate a group of students from Deer Park High School.

The Senate welcomed its guests.

(President in Chair)

GUEST PRESENTED

The President introduced to the Senate United States Congressman Gene Green of Houston.

The Senate welcomed Congressman Green.

PERMISSION TO INTRODUCE BILLS

On motion of Senator Truan and by unanimous consent, Article III, Section 5 of the Texas Constitution and Senate Rule 7.07(b) were suspended to permit the introduction of the following bills:

SB 10, SB 32, SB 33, SB 373, SB 374, SB 375, SB 376, SB 377, SB 378, SB 379, SB 380, SB 1921, SB 1922, SB 1923, SB 1924

GUEST PRESENTED

The President introduced to the Senate United States Congressman Ralph M. Hall of Rockwall.

The Senate welcomed Congressman Hall.

GUESTS PRESENTED

Senator Ellis was recognized and introduced to the Senate his daughter Nicole Ellis and her mother Jackie Ellis, their friends Christian Cochran and her mother Stephine Cochran and Jodie Nolen and her mother Kristen Nolen.

The Senate welcomed its guests.

(Senator Brown in Chair)

SENATE BILL 977 ON SECOND READING

On motion of Senator Madla and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

SB 977, Relating to the maximum extended length of certain loads carried on trailers.

The bill was read second time.

Senator Madla offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 977** as follows:

In **SECTION 1** of the bill, proposed Sec. 621.2061(4) Transportation Code, after the word "regulation" strike "in 49 C.F.R. 393.86".

The committee amendment was read and was adopted by a viva voce vote.

Senator Cain offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 977** as follows:

Insert the following language as Section 1, and renumber the following sections appropriately.

SECTION 1. Section 621.206, Transportation Code, is amended by adding Subsection (c) to read as follows:

(c) Subsection (a) does not apply to vehicles collecting garbage, rubbish, refuse, or recyclable materials which are equipped with front-end loading attachments and containers provided that the vehicle is actively

engaged in the collection of garbage, rubbish, refuse, or recyclable materials.

The amendment was read.

On motion of Senator Cain and by unanimous consent, Floor Amendment No. 1 was withdrawn.

SB 977 as amended was passed to engrossment by a viva voce vote.

SENATE BILL 977 ON THIRD READING

Senator Madla moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 977** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Fraser.

(President in Chair)

SB 977 was read third time and was passed by a viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 700 ON SECOND READING

On motion of Senator Armbrister and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 700, Relating to unclaimed property; providing penalties.

The bill was read second time.

Senator Armbrister offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 700** as follows:

- (1) On page 5, line 8, strike "including"
- (2) On page 15, line 6, strike "SETTLEMENT" and substitute "WAIVER"
- (3) On page 15, line 7, strike "settle a claim for a" and substitute "waive"
- (4) On page 15, line 14, insert the following after "who" and before "holds": "on June 30th"
- (5) On page 15, line 18, insert the following after "penalty": "A holder is not required by this Section to segregate or establish trust accounts for the property provided the property is timely delivered to the comptroller in accordance with Section 74.301."
- (6) On page 15, line 44, strike "knowingly" and substitute "willfully"

The amendment was read and was adopted by a viva voce vote.

CSSB 700 as amended was passed to engrossment by a viva voce vote.

COMMITTEE SUBSTITUTE SENATE BILL 700 ON THIRD READING

Senator Armbrister moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 700** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Fraser.

CSSB 700 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 274 ON SECOND READING**

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 274, Relating to the operation of The University of Texas at Brownsville.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 274 ON THIRD READING**

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 274** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Fraser.

CSSB 274 was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate David Oliveira, Chair, Board of Trustees of Texas Southmost College; Tony Carnesi, Vice-chair; Mary Rose Cardenas, past Chair; and Dr. Juliet Garcia, President, The University of Texas at Brownsville at Texas Southmost College.

The Senate welcomed its guests.

(Senator Shapiro in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 623 ON SECOND READING**

On motion of Senator Ratliff and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 623, Relating to the regulation of the practice of engineering; providing penalties.

The bill was read second time.

Senator Ratliff offered the following amendment to the bill:

Floor Amendment No. 1

Amend CSSB 623 as follows:

(1) On page 2, line 47, strike "The" and substitute "To the extent the following services or types of creative work meet this definition, the".

(2) On page 2, line 49, between "testimony" and "testing", insert "engineering for".

(3) On page 2, line 58, between "property" and "preparation", insert "engineering for".

(4) On page 2, line 59, between "and" and "review", insert "engineering for".

(5) On page 13, strike SECTION 31 and SECTION 32 and substitute a new SECTION 31 to read as follows:

"The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was read and was adopted by a viva voce vote.

CSSB 623 as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 623 ON THIRD READING**

Senator Ratliff moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that CSSB 623 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Fraser.

CSSB 623 was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

(President in Chair)

SENATE BILL 571 ON SECOND READING

Senator Lindsay asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

SB 571, Relating to the application of the minimum wage.

There was objection.

Senator Lindsay then moved to suspend the regular order of business and take up **SB 571** for consideration at this time.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Duncan, Ellis, Galloway, Harris, Haywood, Lindsay, Lucio, Madla, Moncrief,

Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Wentworth, Whitmire, Zaffirini.

Nays: Gallegos, Luna, Truan, West.

Absent-excused: Fraser.

SB 571 was read second time and was passed to engrossment by a viva voce vote.

RECORD OF VOTES

Senators Barrientos, Gallegos, and Truan asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 571 ON THIRD READING

Senator Lindsay moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 571** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 3.

Yeas: Armbrister, Bivins, Brown, Cain, Carona, Duncan, Ellis, Galloway, Harris, Haywood, Lindsay, Lucio, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Wentworth, West, Whitmire, Zaffirini.

Nays: Barrientos, Gallegos, Truan.

Absent: Luna.

Absent-excused: Fraser.

SB 571 was read third time and was passed by the following vote: Yeas 26, Nays 3. (Same as previous roll call)

SENATE BILL 725 ON SECOND READING

On motion of Senator Madla and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

SB 725, Relating to the qualification of a personal care facility as a community home.

The bill was read second time.

Senator Nixon offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 725** on page 1, line 32, by inserting the following after the word Code:

provided that the exterior structure retains compatibility with the surrounding residential dwellings.

The amendment was read and was adopted by a viva voce vote.

SB 725 as amended was passed to engrossment by a viva voce vote.

SENATE BILL 725 ON THIRD READING

Senator Madla moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 725** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Fraser.

SB 725 was read third time and was passed by a viva voce vote.

GUEST PRESENTED

The President introduced to the Senate United States Congresswoman Sheila Jackson Lee of Houston.

The Senate welcomed Congresswoman Lee.

SENATE BILL 353 ON SECOND READING

On motion of Senator Armbrister and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

SB 353, Relating to the continuation and functions of the adjutant general's department.

The bill was read second time.

(Senator Brown in Chair)

Senator Armbrister offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **SB 353** to read as follows:

(1) On page 4, line 15, add a new SECTION 6 to read as follows:

"SECTION 6. Section 431.027, Government Code, is amended to read as follows:

Sec. 431.027. SALARIES. The adjutant general and each assistant adjutant general are entitled to salaries commensurate with the pay grade of an officer of equivalent rank under 37 U.S.C. Section 201(a) [in the amounts designated in a line item in the General Appropriations Act]."

(2) Renumber SECTIONS accordingly.

The committee amendment was read.

On motion of Senator Ratliff, Committee Amendment No. 1 was tabled by the following vote: Yeas 22, Nays 8.

Yeas: Bivins, Cain, Carona, Duncan, Ellis, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Madla, Moncrief, Nelson, Ratliff, Shapiro, Shapleigh, Sibley, Truan, West, Whitmire, Zaffirini.

Nays: Armbrister, Barrientos, Brown, Luna, Nixon, Ogden, Patterson, Wentworth.

Absent-excused: Fraser.

SB 353 was passed to engrossment by a viva voce vote.

SENATE BILL 353 ON THIRD READING

Senator Armbrister moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 353** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Fraser.

SB 353 was read third time and was passed by a viva voce vote.

(President in Chair)

GUEST PRESENTED

The President introduced to the Senate United States Congresswoman Eddie Bernice Johnson of Dallas.

The Senate welcomed Congresswoman Johnson.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, April 7, 1997

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS REFUSED TO CONCUR IN SENATE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

HB 1185

House Conferees: Hightower - Chair/Place/Farrar/Clark/Allen

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

COMMITTEE SUBSTITUTE**SENATE BILL 882 ON SECOND READING**

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 882, Relating to negotiated rulemaking by state agencies.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 882 ON THIRD READING**

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 882** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Fraser.

CSSB 882 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 699 ON SECOND READING**

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 699, Relating to the promotional appointments of police officers in certain municipalities.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 699 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 699** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Fraser.

CSSB 699 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1134 ON SECOND READING**

On motion of Senator Whitmire and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

CSSB 1134, Relating to fire and police department records concerning charges of misconduct and disciplinary actions in certain municipalities.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 1134 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1134** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Fraser.

CSSB 1134 was read third time and was passed by a viva voce vote.

MEMORIAL RESOLUTIONS

SR 441 - by Truan: In memory of Charles M. Bolden of Corpus Christi.

SR 442 - by Barrientos: In memory of Mary Frances Baylor of Austin.

CONGRATULATORY RESOLUTIONS

SR 445 - by Whitmire: Congratulating Douglas Kirk Lopez of Houston.

SR 447 - by Nixon: Congratulating the Angelina County Airport.

SR 448 - by Nixon: Congratulating Ray Davis of Cherokee County.

SR 449 - by Bivins: Congratulating the Kirby Company division in Andrews.

SR 450 - by Ellis: Congratulating the Alpha Phi Alpha Fraternity at The University of Texas at Austin.

HCR 155 - (Bivins): Congratulating Patricia and Aldredge "Button" Estes, Jr., of Midland.

HCR 191 - (Madla): Congratulating George Gervin of San Antonio.

MISCELLANEOUS RESOLUTION

SR 443 - by Moncrief: Honoring the life of Leo Benavides of Fort Worth and extending appreciation for the Leo Benavides Memorial Award.

ADJOURNMENT

On motion of Senator Truan, the Senate at 12:56 p.m. adjourned, in memory of Antonio Yzaguirre, Sr., until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Senate:

April 7, 1997

JURISPRUDENCE — CSHB 506, CSSB 318, CSSB 1547

EDUCATION — CSSB 1154, CSSB 1419, CSSB 1893

ECONOMIC DEVELOPMENT — SB 1450

INTERGOVERNMENTAL RELATIONS — CSSB 395, SB 892 (Amended)

FINANCE — SB 696 (Amended)

ECONOMIC DEVELOPMENT — CSSB 746, CSSB 747, CSSB 1557

HEALTH AND HUMAN SERVICES — CSSB 30, CSSB 913, CSSB 939,
CSSB 1057, CSSB 1247, CSSB 1295

STATE AFFAIRS — CSSB 510

FINANCE — CSSB 645

STATE AFFAIRS — SCR 55, SB 1133, SB 1268, SB 1273, SB 1581,
SB 1702, SB 1768, SB 1904

NATURAL RESOURCES — SB 595, SB 718, CSSB 728, SB 968, SB 1529,
SB 1576, SB 1588, CSSB 1591, SB 1888, SB 1656

**In Memory
of
Antonio Yzaguirre, Sr.**

Senator Lucio offered the following resolution:

(Senate Resolution 444)

WHEREAS, The citizens of Brownsville, Texas, mourned the passing of one of the city's well-known public servants, Antonio Yzaguirre, Sr., who died February 28, 1997, at the age of 74; and

WHEREAS, Respected and admired by his friends and colleagues, Tony Yzaguirre will be remembered for his love for his family, his country, and his faith; and

WHEREAS, The son of Guadalupe and Albina Davila Yzaguirre, Tony served his country with honor during World War II in the United States Army; for his gallantry he was awarded the Good Conduct Medal, American Theater Medal, Victory Medal, Theater Services Medal, and Theater Service Medal Asiatic Pacific; and

WHEREAS, During his long tenure with the city, he held several key positions; for eight years he worked with the Public Utilities Board and another eight years for the City of Brownsville; he retired from the United States General Services Administration after 20 years of dedicated service and was a member of the American Red Cross; and

WHEREAS, A devout Christian gentleman who lived his faith in his daily life, Mr. Yzaguirre was a member of Christ the King Catholic Church; and

WHEREAS, His wise counsel and sound judgment will be deeply missed by all those who loved him and shared his friendship; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby extend sincere condolences to the family of Antonio Yzaguirre, Sr.: his wife, Celia; his sons, Antonio "Tony" Yzaguirre, Jr., and George Edward Yzaguirre; his daughters, Patricia Y. Buck, Grace Y. Solis, Isabel Y. Avelar, Leticia Y. Jordan, Gloria Marie Jurcik, Naomi Y. Woolsey, and Yvonne Yzaguirre; his brothers, Guadalupe D. Yzaguirre, Eduardo Yzaguirre, and Roberto Yzaguirre; his sisters, Mary Valdez, Eva D. Yzaguirre, and Gloria Y. Marks; and his 17 grandchildren; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Antonio Yzaguirre, Sr.

The resolution was read.

On motion of Senator Brown and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Lucio and by unanimous consent, the resolution was adopted by a rising vote of the Senate.

Senator Lucio was recognized and introduced to the Senate family members of Antonio Yzaguirre, Sr.: Celia Yzaguirre, widow; Antonio "Tony" Yzaguirre, Jr., son; and daughters Grace Y. Solis, Isabel Y. Avelar, Leticia Y. Jordan, Gloria Marie Jurcik, and Naomi Y. Woolsey.

The Senate welcomed the Yzaguirre family and expressed its sympathy.

